

ASSEMBLY BILL

No. 1477

Introduced by Assembly Member DeVore

February 22, 2005

An act to amend Section 9105 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1477, as introduced, DeVore. Vehicles: state militia exemptions.

Existing law exempts a vehicle owned by a disabled veteran, a former American prisoner of war, or a Congressional Medal of Honor recipient from specified vehicle license fee requirements where the vehicle is a passenger vehicle, a motorcycle, or a commercial vehicle of less than 8,001 pounds of unladen weight. Under existing law, the active militia of the state consists of the National Guard, State Military Reserve, and the Naval Militia.

This bill would, in addition, provide that exemption to active members of the militia of the state.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9105 of the Vehicle Code is amended to
- 2 read:
- 3 9105. (a) The fees specified in this code, except fees for
- 4 duplicate plates, certificates, or cards, need not be paid for any of
- 5 the following vehicles, that are of a type subject to registration
- 6 under this code, and that are not used for transportation for hire,

1 compensation, or profit, when owned by any former American
2 prisoner of war, any disabled veteran, *any active member of the*
3 *militia of the state*, or any Congressional Medal of Honor
4 recipient:

5 (1) Any passenger motor vehicle.

6 (2) Any motorcycle.

7 (3) Any commercial motor vehicle of less than 8,001 pounds
8 unladen weight.

9 (b) The exemption granted by subdivision (a) shall not extend
10 to more than one vehicle owned by any former American
11 prisoner of war, any disabled veteran, *any active member of the*
12 *state militia*, or any Congressional Medal of Honor recipient and
13 is applicable to the same vehicle as described in subdivision (b)
14 of Section 10783 of the Revenue and Taxation Code.

15 (c) (1) The department may require any disabled veteran
16 applying for an exemption under this section to submit a
17 certificate signed by a physician or surgeon substantiating the
18 disability.

19 (2) The department may require any person applying for an
20 exemption under this section for either of the following reasons
21 to do any of the following:

22 (A) By reason of the person's status as a former prisoner of
23 war, to show, by satisfactory proof, his or her former
24 prisoner-of-war status.

25 (B) By reason of the person's status of receiving the
26 Congressional Medal of Honor, to show, by satisfactory proof,
27 that he or she is a Congressional Medal of Honor recipient.

28 (C) *By reason of the person's status as an active member of*
29 *the militia of the state, to provide a certificate attesting that he or*
30 *she is an active member of the militia of the state in good*
31 *standing, which shall be provided by the Adjutant General. As*
32 *used in this section "active member of the militia of the state"*
33 *does not include a member of the unorganized militia when*
34 *called into active service.*

35 ~~(d) This section shall become operative on July 1, 1999.~~